

DPA LPI 2012 FACULTY

ABOUT OUR FACULTY

Rodney D. Barnes first appeared in the courtroom as a juvenile defendant for both status and public offences, eventually leading to his dropping out of high school and joining the United States Navy at age 17. He received a GED during his four year enlistment and then attended the University of Louisville, where he earned his BA in Psychology and his Juris Doctor. He began his public defender career as a staff attorney with the Jefferson District Public Defender's Office in Louisville, Ky. and then joined the Department of Public Advocacy's Frankfort Trial Office. He spent over a decade as that office's Directing Attorney before assuming his present position as the Northern Regional Manager. After years of trying major felony cases, he now appears in the courtroom on behalf of juvenile defendants for both status and public offences as the Juvenile Defender for Franklin County and acts as the juvenile specialist for the Frankfort Trial Office and Northern Region.

Jay Barrett joined DPA in 1982 as directing attorney of the Stanton office and was on the faculty of DPA's Trial Practice Institute from 1984-1987. After three years with New Hampshire Public Defenders, Jay returned to Kentucky in private practice in Prestonsburg, before rejoining DPA in 2001 in the Paintsville office. He served as Trial Division Director from 2004 – 2007 and has been the Directing Attorney for the Morehead office since 2008. Jay has helped coach attorneys in the litigation track at Faubush and DPA's Death Penalty Institutes, and has assisted in investigator training at Faubush since 2005 and at this year's Louisiana Public Defender Investigator Workshop.

James W. Beane, Jr., is a staff attorney at the Louisiana Capital Assistance Center. A trial attorney with 10 years' experience, James most recently was in private practice in Washington, DC, where he focused primarily on criminal trials and appeals. James is a member of the faculty of the National Criminal Defense College where he teaches advanced trial advocacy. He also teaches appellate advocacy at NLADA's Appellate Defender Training Program. He received his JD from the Catholic University of America Columbus School of Law, and his LLM in Trial Advocacy from Temple University. Previously, James served as law clerk for two United States District Court judges, and was a trial attorney for the Federal Trade Commission. He is licensed to practice in the District of Columbia; the United States District Court for the District of Columbia; the United States District Court for the District of Maryland; the United States Court of Appeals for the District of Columbia Circuit; and the United States Court of Appeals for the Fourth Circuit and Fifth Circuit.

Charolette Brooks has been the investigator in the Somerset Public Defender's Office since 2004. Prior to coming to DPA, she was a licensed private investigator. She is a Board Certified Criminal Defense Investigator and is the contact person for the C.D.I.T.C. for DPA in Kentucky. She was the Executive Director for the Kentucky Association of Criminal Defense Lawyers from 2000-2006.

Lynda Campbell served as a public defender for 27 years, and retired from the Dept. of Public Advocacy in 2007 after 23 years as a trial attorney. She served as a directing attorney and a regional manager for 11 years, and handled about 10,000 cases. The Department awarded her the Nelson Mandela Lifetime Achievement award in June 2007.

Tony Cisney is a CCDI Investigator. He started with DPA in December 2006 with the Hopkinsville office. In June 2011, he transferred to the Frankfort Capital Post Conviction Branch. In June 2012, he transferred to the LaGrange Post-Conviction office. Tony is a veteran of both the Air Force and Army. Prior to coming to DPA, he worked with the Department of Corrections, the Department of Veteran Affairs, and was a 911 Operator and Dispatcher for the Hopkins County Sheriff's Department.

Glenda Edwards received her B.A. from Campbellsville University and her J.D. from the University of Louisville. She began her career with DPA as a staff attorney with the trial branch in the Columbia Field Office in 1999. She has served as Directing Attorney for the Columbia Office since 2003, became the Central Regional Manager for the Trial Division in 2010, and in the spring of 2011 she became the Trial Division Director.

Lisa Evans received her A.A.S. from Southeast Community College and a B.A. in criminal justice from Lincoln Memorial University where she graduated magna cum laude. She received her board certification through the C.D.I.T.C. in 2001. She began serving as an investigator for a part-time public defender in Bell County, KY in 1995, for both

criminal and civil cases. She has served as a full-time investigator covering both Bell and Harlan counties since the full-time office opened in 1998. She resides in Middlesboro, Kentucky.

Shawna Mackey Geiger is currently the Training Director for the Colorado Office of Alternate Defense Counsel, which provides representation to indigent defendants. Before that Ms. Geiger was a trial lawyer for 15 years focusing on criminal defense and personal injury, including nearly five years as a Colorado State Public Defender. She has been lead counsel on numerous murder, arson and sexual assault trials both for adult and juvenile defendants. Ms. Geiger teaches trial advocacy and persuasion across the country and serves on the faculty of the National Criminal Defense College, Western Trial Advocacy Institute, and the Wisconsin Public Defender Trial Skills Academy. As training director, she organizes a variety of trainings in Colorado, including Alternate Defense Counsel's Trial Advocacy program. She is Past President of the Colorado Criminal Defense Bar and is active in the National Legal Aid & Defender Association, as well as being a member of the National Association of Criminal Defense Lawyers and a Fellow in the American Board of Criminal Lawyers.

Roger Gibbs is a graduate of Georgetown College and the University of Kentucky College of Law. He was a staff attorney for the Jefferson County Public Defender's office from 1986 to 1993. Roger has been Directing Attorney for DPA's London office from 1993 to 2010 and the Eastern Regional Manager since 1998. Roger is the father of two wonderful children, James and Hannah, and the husband of Teresa.

Charles Hedgespeth is a graduate of Elizabethtown Community and Technical College, Lindsey Wilson College, and the University of Central Missouri Graduate School. He is the Investigator for the Columbia Trial Office and has been with the department since early 2010. In addition to his work with the DPA, he also writes strength and conditioning articles for a number of leading fitness websites and is an adjunct professor at Lindsey Wilson College in Columbia. Charles enjoys spending his free time with his wife, Amy, his two daughters, Ayva (5) and Bella (1), and his half Labrador and half English Bulldog, Katie.

Brian Hewlett is a 1992 graduate of the Morehead State University. He graduated from the University of Kentucky, College of Law in 1995. After one year in private practice, he joined the Boyd County Public Defender's Office. He became the Boyd County Public Defender's Office Public Advocate a few years later when his predecessor retired. Brian joined DPA in 2006 when the Boyd County Public Defender's Office became the regional office site for a DPA office, and he has served as its Directing Attorney since February of 2006. He has served as faculty at DPA Litigation Training at Faubush. In 2010, he was awarded the Department's Gideon Award. He is the father of a boy named Quentin who puts the light in his life. He is also an avid music fan and occasional performer.

Patti Heying received a Master's Degree in Theatre from the University of Kentucky in 1987, and a Master of Fine Arts from the University of Louisville in 2007. She has worked as an acting and vocal coach in Minnesota and Kentucky for the past 20+ years, including serving as adjunct faculty in the theatre departments at the University of Kentucky and the University of Louisville. Patti was the Training Coordinator for the Kentucky Department of Public Advocacy for 5 years and has been the agency's recruiter since 2007. She designs and provides coaching sessions and workshops on presentation skills for criminal defense attorneys within Kentucky and has been a guest coach in Missouri and New Orleans for NLADA's Appellate Defender Training. Patti continues to direct, perform and teach with local theatres in the Bluegrass area.

Brad Holajter is a graduate of Indiana University and Syracuse University College of Law. He began his Career in DPA as a Law Clerk for the Maysville Trial Office in 2004, and worked as an Investigator for the Cynthiana Trial Office for 5 years. Brad is now an Investigator in the Capital Trial Branch of DPA. Brad Lives in Maysville with his wife Christine and his children, Cailin, Sophia, and Owen.

Emily Hughes is a professor of criminal law, criminal procedure, and capital punishment at the University of Iowa College of Law. Prior to joining the Iowa law faculty, she co-directed the Criminal Justice Clinic at Washington University School of Law in St. Louis, where she supervised clinic students in the representation of adult defendants in misdemeanor and felony cases. She is also the co-author of a casebook on federal habeas corpus and has written on the death penalty, mitigation, and capital defense. She has worked as a state public defender in Iowa, represented capital defendants in Illinois as a part of the Center for Justice in Capital Cases at DePaul University College of Law, clerked for the Honorable Michael J. Melloy, Chief Judge, U.S. District Court for the Northern District of Iowa (now serving on the Eighth Circuit Court of Appeals), and worked as a Sacks Fellow at the Criminal Justice Institute at Harvard Law School.

Robin C. Irwin is the directing attorney for DPA's Trial Office in Murray, Kentucky. He is an adjunct professor for the Department of Government, Law and International Affairs at Murray State University where he currently coaches Murray State's Mock Trial Team. Robin has completed the Trial Practice Institute, National Criminal Defense College, Mercer Law School. He has tried over 40 criminal jury trials in Kentucky, and always for the defense.

La Mer Kyle-Griffiths is the Juvenile Post-Disposition Branch Manager. She has previously worked as the directing attorney of the Cynthiana trial office as well as a staff attorney with the Capital Trial Branch and the Maysville trial office. She is currently a board member on the Juvenile Justice Advisory Board and the Subcommittee for Equality and Justice for All Youth addressed disproportionate minority contact in the state of Kentucky. She has presented nationally for the American Bar Association as well as locally for the Kentucky Bar Association and other local groups primarily in the areas of Juvenile Law, Death Penalty law, Sentencing Advocacy and Persuasive PowerPoint Presentations. She has worked as a Coordinator for Teen Court in Paducah and has worked to create better alternatives for juveniles and Spanish speakers in Cynthiana, Paducah and Maysville. She is also a graduate of the University of Dayton School of Law. Most importantly, she is the child of a public defender, the wife of another Kentucky public defender and the mother of a six year old and 2 three year old twin girls that learned the fun of saying the word acquittal (pronounced a-kit-all) early.

Ernie Lewis grew up in Missouri, the son of a Baptist minister and a school teacher. He has a son, Ben, who is a public defender with the Charleston Public Defender's Office in Charleston, South Carolina. He also has a daughter, Rachel, who is a senior at Washington University in St. Louis, a step-son who is an aspiring actor and a step-daughter who lives in Austin, Texas. He lives in Frankfort, Kentucky, with his wife Margaret Townsley who is the International Marketing Director with the Enterprise Division of Kentucky Educational Television. Ernie received his undergraduate degree from Baylor University in 1969, a Masters of Divinity from Vanderbilt University in 1973, and a *Juris Doctoris* (J.D.) from Washington University in 1977. He was a VISTA Volunteer in Minnesota. He was with the Department of Public Advocacy from 1976 until 2008 in several different capacities, including appellate lawyer, local assistance branch manager, directing attorney of the Richmond Trial Office, and Regional Manager for the Central Kentucky Region. He was appointed Kentucky Public Advocate in 1996, overseeing the statewide public defender system, and served in that capacity until 2008 when he retired from state government. Since 1985, he has been on the faculty of the National College of Criminal Defense located at Mercer Law School in Macon, Georgia. He has been on the faculty of the National Defender Leadership Institute as well as the NLADA's Nuts and Bolts of Defender Leadership. He served for two years as Chair of the American Council of Chief Defenders from 2006-2007. He has worked on indigent defense issues with various groups in Georgia, North Carolina, Minnesota, Texas, Ohio, Indiana, and Louisiana. In 2000, he was named Outstanding Lawyer by the Kentucky Bar Association. In 2007, he was given the Champion of Indigent Defense Award by the National Association of Criminal Defense Lawyers. In 2008, he was given the Chief Justice's Special Service Award. He received the Department of Public Advocacy's Professionalism and Excellence Award in 2003 and the Nelson Mandela Award in 2009. He is now active in teaching public defenders, consulting, and representing the Kentucky Association of Criminal Defense Lawyers before the Kentucky General Assembly.

Paul Long is an investigator in the Covington Trial Office and has been with DPA since 2008. Before that, he was a reporter for 22 years at *The Kentucky Post*, covering courts, trials and legal issues. He won several national and state awards for his work, including the DPA Anthony Lewis Media Award. He also has been a reporter for *The State Journal* in Frankfort and *The Courier-Journal* in Louisville. He attended Hunter College in New York City and is a graduate of the University of Louisville. He lives in Edgewood with his wife and two daughters.

Sean Maher has extensive experience handling complex criminal and constitutional matters. He has represented clients charged with a wide array of criminal activity, including murder, conspiracy to assassinate the President of the United States, fraud, and drug trafficking. His practice includes defending individuals from prosecutions in federal and state courts, as well as more general litigation. Before becoming a Partner in Wahid, Vizcaino & Maher LLP, Sean was responsible for supervising and training the criminal defense trial teams of the Neighborhood Defender Service of Harlem (NDS), one of the leading criminal defense organizations in the country. While at NDS, Sean represented individuals from Harlem, East Harlem, Washington Heights, and Inwood who were charged with serious crimes, such as alleged infanticide, serial rape, and gang execution. Prior to his work at NDS, he was a Senior Felony Trial Attorney at the Fulton County Public Defender's Office in Atlanta, Georgia, where he handled hundreds of felony cases in his time there. Besides his unrelenting and zealous advocacy on behalf of his clients, Sean is respected for his efforts in training attorneys and law students. He has served on the faculty of the Georgia Public Defender Standards Council Trial Advocacy Program since its inception, including its Honors Program, and has been an invited speaker at

Boston University, Brooklyn, Columbia, Fordham, and NYU law schools. In 2000, Sean was presented the Commitment to Justice Award by the Young Lawyers Division of the State Bar of Georgia. Sean received his B.A. in 1991 from Northwestern University and, in 1995, graduated *cum laude* from Boston University School of Law, where he was an Article Editor of the Boston University Law Review. While in law school, Sean interned at Kunstler & Kuby and the Office of Navajo Uranium Workers. Sean is a member of the National Association of Criminal Defense Lawyers and a co-chair of its National Security Committee. He is also a member of the New York Association of Criminal Defense Lawyers and the National Lawyers Guild. He is member of the State and Federal Bars of New York, as well as the State Bar of Georgia and the District of Columbia.

Kevin W. McClain is a licensed private investigator in Illinois, Indiana, Kentucky and Missouri. He is a Board Certified Criminal Defense Investigator and President of Kevin W. McClain Investigations Ltd., which is a multi-state investigative firm (Illinois, Indiana, Missouri, and Kentucky) with 14 investigators that have over 150 years of investigative experience with offices in Illinois. He is qualified as an expert in Criminal Investigations, and Standardized Field Sobriety Testing. He has also been a college instructor. Mr. McClain began his career in 1993 and gained distinction as one of the regions premier private investigators assisting some of the finest criminal defense and civil attorneys with major felonies, personal injuries, wrongful deaths, corporate investigations and high profile media cases. He has conducted numerous child custody, martial asset, domestic, workers compensation and missing heir investigations. He has been a featured speaker at the national conferences for NLADA "Life in the Balance Capital Defense training seminars in New Orleans, Philadelphia, Atlanta and most recently in Nashville. He has spoken recently at the IICLE Defending Illinois Death Penalty Cases held in Springfield, Collinsville and Chicago, Illinois and the IICLE Defending DUI'S and DUI Advocacy Academy in Peoria and Chicago Illinois. He also was recently featured speaker at the Indiana Public Defenders Council on Sex Crimes and Molestation cases and recently spoke for the Missouri Criminal Defense Lawyers on "the Utilization of an Investigator". He is assisting with the development of the Louisiana Public Defender Investigator Training program. He is a faculty instructor for the Kentucky Department of Public Advocacy Investigator Track training conferences. He was a featured speaker at the Massachusetts Public Defender Annual Conference held in Worcester. He has spoken to numerous civic groups and financial institutions on Identity Theft and Cyber Crime and the methods to prevent it. He has presented to various insurance adjusters, human resource managers and attorneys on Claims Investigations and the utilization of a Professional Investigator. He has the distinction of being part of the defense team on two Illinois Death Penalty cases, which were dismissed prior to trial. (First time in Illinois history since Capital Litigation Division was formed in 2000.) Mr. McClain has also worked with the Center of Wrongful Convictions at Northwestern University and has been part of the faculty at the Clarence Darrow Death Penalty College at DePaul University Law School in Chicago, Illinois.

Glenn McClister is a Staff Attorney with DPA's Education and Strategic Planning Branch. Glenn received his J.D. from the University of Kentucky in 1997, and for nine years worked as an Assistant Public Advocate in Somerset, Kentucky, handling over 400 cases per year. Prior to becoming an attorney, Glenn was a state champion in speech during high school and competed during college as well. After completing the requirements for an M.A. in philosophy, including teaching for six years, he then spent two years as a professional actor, getting the chance to play the lead in "Two Gentlemen of Verona" on the stage of the Globe Theater in London, during a summer program there. After having secured a talent agent on 88th street in New York and spending a great deal of time unemployed, Glenn joined the 101st Airborne Division when Desert Storm began and served for two-and-a-half years as an infantryman. After digging ditches in a Kentucky state park for a year, Glenn went to law school where he directed a production of "Gone with the Wind" starring the law school faculty and students during his third year, and won the College of Law Faculty Cup at graduation. Since joining the education branch, Glenn has designed and revised the new attorney training portion of the Kentucky Public Defender College, published two editions of the DPA Trial Law Notebook, contributed numerous studies of criminal justice issues to the Public Advocate, and designed the investigator training portion of Faubush. Glenn has also trained public defenders in Georgia, Pennsylvania, and Missouri.

Edward C. Monahan was appointed KY Public Advocate by the Governor September 1, 2008 for a four year term. He is Vice-Chair of the American Council of Chief Defenders (ACCD) and chairs its Leadership and Development Committee. The ACCD is a section of the National Legal Aid & Defender Association. ACCD is comprised of chief defenders from across the nation dedicated to securing a fair justice system and ensuring high quality legal representation for poor people who face loss of life, freedom or family. In 2011, Ed will Chair ACCD. Ed is a charter board member of the Kentucky Association of Criminal Defense Lawyers and is president-elect of KACDL, past chair of the Kentucky Bar Association's criminal law section, is a member of the KBA Ethics Committee (2000-2007; 2008-present). Ed is a member of the National Legal Aid and Defender (NLADA) Defender Policy Group and chair of its Communications Committee.

Mary Moriarty had been a public defender in Minneapolis for all of six weeks when she had her first felony suppression hearing. She prepped diligently, argued tenaciously, and lost both the motion and the subsequent trial. She was right about the issue at hand, however, and a couple of years later when the U.S. Supreme Court granted *certiorari*, Moriarty—who can laugh about it now—couldn’t be pried away from her caseload to attend oral arguments in *Minnesota v. Dickerson*. “Next time,” she told herself. Fast-forward two decades: Moriarty has not had another occasion to argue before the high court, but she has tried a dozen murders and countless other serious felony cases—including a number that set important state-court precedents. In the process, she has acquired a national profile as a gifted courtroom advocate with a talent for training others in the creative, powerful trial skills she uses to secure acquittal after acquittal. The managing attorney of the Hennepin County Public Defender’s Office’s Adult Division and an adjunct professor of advanced trial advocacy at the University of St. Thomas Law School, Moriarty has taught attorneys, judges, investigators, and paralegals in every region of the country. She serves on the faculty of public defender trial schools in Minnesota, Kentucky, Illinois, Louisiana, and Alabama. Her interactive curriculum models have been widely copied by other trainers. Her NACDL presentation, “Tuning Your Ear to the Off-Key,” on prosecutorial misconduct, was featured in the April 2009 issue of *The Champion*.

David Patton has been the Executive Director and Attorney-in-Chief of the Federal Defenders of New York since July 2011. From 2002 to 2008, he worked at the Federal Defenders as a trial attorney in the Manhattan office. During that time, he also served as an Adjunct Professor at N.Y.U. School of Law, where he taught the Federal Defender Clinic. In 2008, Mr. Patton began teaching full time as an Assistant Professor of Law at the University of Alabama. From 2010 to 2011, he was a Visiting Associate Professor of Law at Stanford Law School where he founded the school’s first trial-level criminal defense clinic. Mr. Patton is also on the faculty of the Southern Public Defender Training Center, a non-profit dedicated to training new public defenders throughout the South. Among other publications, he is the author of *Guns, Crime Control, and a Systemic Approach to Federal Sentencing*, 32 *Cardozo L. Rev.* 1427 (2011). Mr. Patton is a graduate of the University of Virginia School of Law, where he served as an editor of the *Virginia Law Review*. He clerked for the Honorable Claude Hilton of the U.S. District Court for the Eastern District of Virginia. Prior to joining the Federal Defenders in 2002, Mr. Patton was an associate at the law firm Sullivan & Cromwell.

Cheri Riedel is a Staff Attorney III with the Murray Trial Office of the Department of Public Advocacy. A 2004 graduate of the University of Memphis Cecil C. Humphreys School of Law and also a Murray native, Cheri has been with the Department in Murray since October 2004. Cheri is licensed to practice law in both Kentucky and Tennessee.

Jeff Sherr is the Manager of the Education and Strategic Planning Branch of the Kentucky Department of Public Advocacy. Jeff has been with the DPA since 1994, starting first as a law clerk, then working with the Juvenile Post Dispositional Unit, then in the trial division with the Stanford Field Office, and now in Frankfort with the education staff. Jeff graduated from the University of Kentucky College of Law in 1995. Jeff is a faculty member for the National Criminal Defense College, Clarence Darrow Death Penalty College, Southern Public Defender Training Center and other state litigation institutes. He has presented at NLADA Annual Seminar and NLADA Train the Trainer. He is currently co-chair of the National Alliance of Indigent Defense Educators. In addition to regularly training public defender litigators and trainers, Jeff has trained public defender leaders for nationally and for many individual defender states and offices. He is the editor of the DPA’s online journal, *The Advocate*, and *The Small Group Coaching Handbook: Tips and Techniques for Criminal Defense Education*. Jeff also has an extensive background in theatre having studied with the National Shakespeare Conservatory and the University of Kansas.

Phyllis H. Subin is a nationally recognized justice systems consultant, evaluator, and trainer who works with a broad range of criminal and delinquency system stakeholders, including county, state, federal, and national public defender and indigent defense organizations and leaders across the country. She is also the executive director of the **Pennsylvania Coalition for Justice**, a statewide effort to reform Pennsylvania’s flawed county funded indigent defense delivery system. A former trial and appellate public defender (Philadelphia/Albuquerque), training director (Defender Association of Philadelphia), and assistant professor/director criminal defense clinical program (University of New Mexico School of Law), Ms. Subin also served for six years as the Chief Public Defender for the State of New Mexico, directing a statewide public defender and contract counsel system. She frequently evaluates indigent defense systems for the Justice Standards Research and Evaluation Center at the National Legal Aid and Defender Association (NLADA), and she provides direct technical assistance and leadership training for public defender attorney and non-attorney managers and supervisors. She has served as an expert witness on indigent defense issues and as a presenter / faculty member for the National Defender Leadership Institute, for several Kentucky Department of Public Advocacy’s management institutes, and for many other defender management and leadership institutes across the country. Ms.

Subin serves as national chair for the National Alliance of Indigent Defense Educators, as section of the NLADA, and has directed/served as faculty for the National Appellate Defender Skills Training. Phyllis has presented at numerous trial practice institutes, defender leadership/management programs, and “train the trainer” programs. She was one of the primary drafters of NLADA’s *Defender Training and Development Standards (1997)*, the NLADA/ *Ten Core Principles for Providing Quality Delinquency Representation through Public Defense Delivery Systems (1st Edition/2005)*, the Juvenile Defenders Association of Pennsylvania’s *Performance Guidelines for Quality and Effective Juvenile Delinquency Representation (2010)*, and the Louisiana Public Defender Board’s draft *Appellate Practice Standards (2012)*.

Connie Toczko-Adkins is a graduate of Elizabethtown Community and Technical College. She is a Certified Criminal Defense Investigator, and has worked with the Department of Public Advocacy’s Elizabethtown Trial Office since November 2007. Connie is also an active member of the Hardin County Mental Health Court program. She resides in Hardin County, Kentucky with her husband, Randy.

Dehlia Umunna is a Clinical Instructor at the Criminal Justice Institute (CJI) at Harvard Law School (HLS), where she supervises third year law students in their representation of adult and juvenile clients in criminal and juvenile proceedings. Ms. Umunna also provides classroom instruction on lawyering skills and the application of criminal law, procedure, rules of evidence, motions and trial practice, and constitutional protections to the development of defense strategy. She also coaches HLS’ teams at the National Criminal Justice Trial Advocacy and the HLS BLSA Trial team; both teams have won numerous national and regional awards.

Shanda West-Stiles is a 1994 graduate of Western Kentucky University and a 1998 graduate of the Paul M. Hebert School of Law at Louisiana State University. She joined DPA in 1999 as a staff attorney in the Columbia Trial Office and in January of 2011 she was named the Directing Attorney of the office.